FEB 2 3 2005 W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Group Art Unit: 1624

Jun Feng et al.

Examiner: Not Yet Assigned

Serial No.: 10/809,637

Filed: March 24, 2004

For: DIPEPTIDYL PEPTIDASE

INHIBITORS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449, and copies are included for the Examiner's convenience. As the Office no longer requires copies of U.S. patents and applications, the U.S. copies are not being submitted with this IDS. However, if the Examiner would like copies of the U.S. cited references, Applicants will provide the references upon request. The item listed on the attached form PTO-1449 at "EN" is a non-English language article. In accordance with 37 CFR § 1.98(a)(3)(i), the following is a concise explanation of the relevance of this article:

The article by P.O. Bezuglyi relates to the synthesis of arylsulfonyl hydrazides of 3-R-quinazolone-4-carbonyl-2-acid.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

\boxtimes	This II	OS is believed to be timely in that it is being submitted under 37 CFR §
1.97(b), that i	is (1) within three months of the filing date of the application, which is not a
continu	ued pro	secution application filed under § 1.53(d); or (2) within three months of
•		ational stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a
		tion on the merits; or (4) before the mailing of a first Office action after filing
a requ	est for	continued examination under § 1.114. Thus, no fee is required.
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
Office	action	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice under 37 CFR § 1.311.
		The fee due under 37 CFR § 1.17(p) is submitted herewith.
	<u> </u>	A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
under payme	37 CFI ent of th	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action R § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before ne issue fee. A statement under 37 CFR § 1.97(e) is included below. The r 37 CFR § 1.17(p) is submitted herewith.
		STATEMENT UNDER 37 CFR § 1.97(e):
	Each i	tem contained in this IDS was first cited in any communication from a
foreign	paten	t office in a counterpart foreign application not more than three months
prior to	the fil	ing of this IDS.
	No ite	m contained in this IDS was cited in a communication from a foreign patent
office i	n a co	unterpart foreign application, and, to the knowledge of the person signing

this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

	Payment and/or Authorization to Charge Fees:							
	A check in the amount of is enclosed for the above fee(s).							
	Please charge to Deposit Account No. 50-2256 for the above fee(s).							
	Although Applicants do not believe any fees are required, the Commissioner is rized to charge any fees required by the filing of these papers to Syrrx's Deposit unt No. 50-2256.							
	Respectfully submitted,							
	SYRRX, INC.							
Dated	By: David J. Weitz Reg. No. 38:362							

Customer No. **32793**Syrrx, Inc.
10410 Science Center Drive
San Diego, CA 92121
Tel: (858) 622-8528

Fax: (858) 550-0992

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO Complete if Known Application Number 10/809,637 INFORMATION DISCLOSURE Filing Date March 24, 2004 STATEMENT BY APPLICANT First Named Inventor Jun Feng **Group Art Unit** 1624 (use as many sheets as necessary) **Examiner Name** Not Yet Assigned Sheet 10 SYR-DPP-IV-5004-C2 of Attorney Docket Number

			U.S. PATENT D	OCUMENTS	7
Examiner Initials *	Cite No.1	Document Number Number - Kind Code ² (if known)	Publication Date/ Issue Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
	-		MM-DD-YYYY		Figures Appear
	AA	US1974/3823135	07-09-1974	Pilgram et al.	
	AB	US1996/5512549	04-30-1996	Chen et al.	
	AC	US1996/5580979	12-03-1996	Bachovchin	
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	BG	US2003/0199451-A1	10-23-2003	Mogensen et al.	
	ВН	US2003/0199672-A1	10-23-2003	Knudsen et al.	

Examiner . Signature	Date Considered

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitut	e for form 1449A/PTC)			Complete if Known
				Application Number	10/809,637
INFC	PRMATION	DIS	CLOSURE	Filing Date	March 24, 2004
STA	STATEMENT BY APPLICANT (use as many sheets as necessary)			First Named Inventor	Jun Feng
				Group Art Unit	1624
				Examiner Name	Not Yet Assigned
Sheet	2	of	10	Attorney Docket Number	SYR-DPP-IV-5004-C2

BI	US2003/0236272-A1	12-25-2003	Richard David Carr	
BJ	US2004/6703238-B2	03-09-2004	Bachovchin	
BK	US2004/0054171-A1	03-18-2004	Jensen et al.	
BL	US2004/0058876-A1	03-25-2004	Hoffmann et al.	
ВМ	US2004/0132732-A1	07-08-2004	Han et al.	
BN	US2004/0167191-A1	08-26-2004	Demuth et al.	
ВО	US2004/0171555-A1	09-02-2004	Demuth et al.	

		FOREIGN PA	TENT DOCU	IMENTS		
	Cite No.¹	Foreign Patent Document	D. H. C. and a		Pages, Columns, Lines, Where	
Examiner Initials*		Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	T⁵
	BP	FR 2.162.106 (English Abstract-1973)	11-30-1972	Amschler et al.		
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	BR	EP 0378255-A2	07-18-1990	Janssen Pharmaceutica		
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	BZ	EP 0587377-A2	03-16-1994	Eli Lilly and Company		
	CA	WO 95/35031 ·	12-28-1995	La Trobe University		
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	CC	WO 96/38550 .	12-05-1996	Dana-Farber Cancer Institute, Inc.		
	CD	WO 97/40832	11-06-1997	Hans-Knoll-Institut Fur Naturstoff		
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	CF	WO 98/00439	01-08-1998	Trustees of Tufts College		
	CG	WO 98/24780 ·	06-11-1998	Amgen Inc.		
	СН	WO 99/16864	04-08-1999	Point Therapeutics, Inc.		
	CI	WO 99/38501 °	08-05-1999	Trustees of Tufts University		

Examiner	Date	
Signature	Considered	

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Substitute for	or form 1449A/PT	O			Complete if Known
				Application Number	10/809,637
INFOF	RMATION	i dis	CLOSURE	Filing Date	March 24, 2004
STATI	STATEMENT BY APPLICANT			First Named Inventor	Jun Feng
				Group Art Unit	1624
(1	ise as many sh	eets as	necessary)	Examiner Name	Not Yet Assigned
Sheet 3 of 10				Attorney Docket Number	SYR-DPP-IV-5004-C2

CI	WO 99/50249	10-07-1999	Du Pont Pharmaceuticals Company	
CK	WO 99-61431 ·	12-02-1999	Probiodrug	
CL	WO 99/67278	12-29-1999	Pro-Biodrug ·	
СМ	WO 99/67279 ·	12-29-1999	Pro-Biodrug	
· CN	WO 00/07617	02-17-2000	Novo Nordisk	
СО	WO 00/09666 -	02-24-2000	U.S. Government, Secty. HHS	
CP	WO 00/15211	03-23-2000	Akesis Pharmaceuticals, Inc.	
CQ	WO 00/76986-A1 .	04-11-2000	Probiodrug	
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СТ	WO 00/53171	09-14-00	Molteni L. E C. Dei Fratelli Alitti Societa' Di Esercizio S.P.A.	
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CW	WO 01/34594-A1	05-17-2001	Guilford Pharmaceuticals, Inc.	
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DS	WO 03/048158-A1	06-12-2003	Bristol-Myers Squibb Company	
DT	WO 03/057200-A2	07-17-2003	Novo Nordisk	

Date	
Considered	
•	Date Considered

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Chiron Corporation

Smithkline Beecham Corporation

Probiodrug AG

Sankyo Co. Ltd.

Probiodrug AG

Takeda Chem Ind Ltd

Bristol-Myers Squibb Company

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Substitute for form 1	449A/PTO		Complete if Known					
			Application Number	er	10/809,637			
INFORMA	TION DIS	CLOSURE	Filing Date	Filing Date		March 24, 2004		
(use as many sheets as necessary)			First Named Inver	First Named Inventor Group Art Unit		Jun Feng 1624		
			Group Art Unit					
			Examiner Name		Not Yet Assigned			
Sheet 4	Sheet 4 of 10		Attorney Docket Number		SYR-DPP-IV-5004-C2			
DU	W	/O 03/063903-A2 .	08-07-2003		Probiodrug AG			
DV	W	O 03/072556-A1	09-04-2003		Probiodrug AG		i	
DW	W	O 03/082898-A2 -	10-09-2003		Probiodrug AG			
DX	W	O 03/092605-A2	11-13-2003	Trust	ees of Tufts College			
DY	W	O 03/099279-A1	12-04-2003		Novartis AG			

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12-24-2003

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04-02-2004

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	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS						
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²				
	EG	ARGAUD, DORIANE et al., Metaformin decreases gluconeogenesis by enhancing the pyruvate kinase flux in isolated rat hepatocytes, European J. Biochem. 213, 1341-1348 (1993).					
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	 The state of the s	
Examiner	Date	
Signature	Considered	

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Substitut	e for form 1449A/PTC)	-		Complete if Known
				Application Number	10/809,637
INFO	PRMATION	DIS	CLOSURE	Filing Date	March 24, 2004
STA	TEMENT B	ΥΑ	PPLICANT	First Named Inventor	Jun Feng
				Group Art Unit	1624
(use as many sheets as necessary)				Examiner Name	Not Yet Assigned
Sheet	5	of	10	Attorney Docket Number	SYR-DPP-IV-5004-C2

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INFO	RMATION	DIS	CLOSURE	Filing Date	March 24, 2004	
STAT	TEMENT BY	Y A	PPLICANT	First Named Inventor	Jun Feng	
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Sheet	6	of	10	Attorney Docket Number	SYR-DPP-IV-5004-C2	

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STA	LEMENT B	ΥΑ	PPLICANT	First Named Inventor	Jun Feng
				Group Art Unit	1624
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Sheet	7	of	10	Attorney Docket Number	SYR-DPP-IV-5004-C2

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STATEMENT BY APPLICANT				First Named Inventor	Jun Feng
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